

August 9, 2013

Chief Procurement Officer
Information Technology Management Office
1201 Main Street, Suite 430
Columbia, SC 29201
Facsimile: 803-896-0789
Email: protest-itmo@cio.sc.gov

Re: Solicitation 39557818

Issue Date: 07/03/2013
Closing Date: 07/12/2013
Description: Live Broadcast Video Production Equipment

To whom it may concern,

This letter is to serve as our official protest of the Intent to Award the above listed solicitation from Clemson University to Yesco Electronics, 1651 N 1000W, Logan, Utah 84321. Our grounds for protest follow below.

Resident Vendor Preference was not given to our company. The bid allowed for this preference to be taken, which we did. If applied, our price is lower than the awarded vendor. The awarded bid amount was \$378,574.98 and our bid was \$406,000 less the 7% RVP of \$28,420 for a net amount of \$377,580.00. We questioned Clemson Procurement on why we did not win the bid based on the RVP and received an email reply stating the following from the Clemson Procurement Buyer Jody Burgess:

Per the Section of Code below, the preferences are not applied because the system is offered as a single unit (Line Item 1).

11-35-1524(E)(2) The preferences provided in subsections (B) and (C)(1)(i) and (ii) do not apply to a single unit of an item with a price in excess of fifty thousand dollars or a single award with a total potential value in excess of five hundred thousand dollars.



We dispute the buyer's interpretation of this statute for the following reasons:

We acknowledge that the request on the bid was for one price however the bid listed 91 line items under 12 different categories therefore it is not a single unit of an item. Not one of the 91 line items listed in the scope of work exceeds \$50,000 and the total bid does not exceed \$500,000.

In light of this information, we are requesting that the 7% RVP be applied to our bid and that an Intent to Award be made to The WH Platts Company for this project.

Techventures LLC, dba The WH Platts Company is a South Carolina domiciled company with a long history in the Broadcast Electronics industry, specifically with Clemson University and many state and local agencies throughout South Carolina. We look forward to your response.

Sincerely,

Bob Simons

Bob Simons, President
The WH Platts Company